IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

AND

IN ITS CONTEMPT JURISDICTION

CONTEMPT PETITION NO.61 OF 2006

Mrs.Ameera Shah ...Petitioner

Versus

Himmat N.Khara & Ors. ...Respondents

.....

Mr.S.Garud i/b M/s.Khaitan & Jayakar for Petitioner.

Mr.Arif Doctor i/b M/s.Hariani & Co.for Respondents.

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CORAM: A.M.KHANWILKAR, J.

FEBRUARY 20, 2006.

P.C.

1. It is admitted between the parties that the Petition is wrongly placed on the Appellate jurisdiction of this Court. This is so because the order in question was passed on the Original Side in Summary Suit No.1975 of 2003.

2. The matter be transferred to the Original

Side, on condition that the Petitioner shall carry out necessary amendments at appropriate places in the memo of Petition within two weeks from today, failing which, Petition to stand dismissed for non-prosecution without further reference to the Court.

A.M.KHANWILKAR, J.